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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/601,809

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Ramin Samadani

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Intellectual Property Administration

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EXAMINER

JAMAL, ALEXANDER

ART UNIT

PAPER NUMBER

2614

NOTIFICATION DATE

DELIVERY MODE

01/07/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/601,809	<b>Applicant(s)</b> SAMADANI, RAMIN	
	<b>Examiner</b> ALEXANDER JAMAL	<b>Art Unit</b> 2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 October 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-36** are rejected under 35 U.S.C. 102(b) as being anticipated by Chiu et al [US 5,986,655].

**As per claims 1,21**, Chiu discloses a system for capturing media during a meeting (recording session). A meeting between multiple users is recorded and portions of the recorded meeting (indicated by events) are used to place time stamps so that the information can be more efficiently retrieved later on. One of the specific events that can create a marked event is a change of speaker (Col 4 lines 40-55). The events can be detected via detecting audio characteristics (such as speaker identification) on audio streams (Col 2 lines 25-40). The audio streams are stored digitally (inherently correlated to temporal data), and portions of the audio streams are time stamped (correlated to additional temporal data). The system will record and timestamp all sources from a meeting (audio and video). The system records data using **one or more capture devices such as an audio recorder** (Col 2 lines 25-40). These would be the first and second audio portions, and audio input devices which are analyzed and time-stamped according to detected characteristics (first and second characteristic).

**As per claim 2**, the audio streams are analyzed by a processor (processing station). Multiple signals are outputted as portions of data which are time-stamped so to be retrieved later.

**As per claims 3,13,17**, the system is programmable and may be edited by any user (including any of the conference participants).

**As per claim 4**, the streams include audio and the disclosed speaker identification function requires detecting the audio signals (which inherently requires detecting the energy (signal) levels of the speech in order for the speech to be processed).

**As per claim 5**, the system is digital as such the streams must be digitized (which inherently includes filtering) in order to be processed.

**As per claims 6,34**, visual icons are associated with the timestamps.

**As per claims 7,8,11,20,25,26,28,29,30,33**, they are rejected as per the claim 1 rejection.

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As per **claims 9,12,14,15,18,19,27,31,35**, the signals are digital and as such, require reference data (memory addresses) associated with reference signals (synchronizing clocks) in order to be digitized and processed. Additionally, the detected characteristics used to define events could also be read as reference data that is detected, stored, and analyzed (queried).

As per **claims 10,32**, the audio streams are analyzed by the same system, as such they will be synchronized by the digital system (any digital systems must be synchronized to function). Any number of audio streams may be used (each audio stream will be recorded at a different location as two microphones cannot occupy the same space.)

As per **claim 16,36**, it is rejected as per the claim 15 rejection, additionally, the time-stamped portions of the recorded audio/video signals are output as audio/video signals when requested by the user.

**Regarding claim 22**, Chiu et al further disclose the system, wherein the means for producing audio data with each separate input device include: a means for recording audio to a storage device (112) within a processing station (12); and a means for editing (102) an identified portion of the recorded audio within the storage device of the processing station to produce audio data [Figs. 1-2; col. 4, line 56 to col. 6, line 19].

**Regarding claim 23**, Chiu et al further disclose the system, wherein the media includes at least one of audio, video and text data, [col. 4, line 43 to col. 5, line 62; col. 1, lines 42-55; col. 2, lines 17-37]; and wherein the first audio characteristic (or detection) is inherently at least a predetermined energy level (or power or peak) of audio signal.

**Regarding claim 24**, Chiu et al further disclose the system, wherein the media includes audio, video and/or text data, and wherein the first audio characteristic is at least a predetermined energy level of audio [Figs. 7A-7D; col. 10, line 10 to col. 11, line 8]. Further, there are visual icons associated with the timestamps.

### **Response to Arguments**

1. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

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As per applicant's arguments that the prior art does not disclose two separate audio sources, the examiner disagrees. As cited in the rejections above the prior art discloses that one or more audio devices may be used. All communications are sent via input devices.

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 571-272-7498, and whose email address is alexander.jamal@uspto.gov

The examiner can usually be reached on M-F 8AM-5PM.  
If attempts to reach the examiner by telephone or email are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 571-272-7499.

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The fax phone numbers for the organization where this application or proceeding is assigned are **571-273-8300** for regular communications and **571-273-8300** for After Final communications.

/Alexander Jamal/

Primary Examiner, Art Unit 2614

Examiner Alexander Jamal

January 6, 2010